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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,233	03/16/2004	Ming Ta Hsu	24061.75 (TSMC2003.0374)	2017
43717 7590 03/28/2008 HAYNES AND BOONE, LLP 901 Main Street Suite 3100 Dallas, TX 75202				
EXAMINER ROBINSON BOYCE, AKIBA K				
ART UNIT 3628		PAPER NUMBER		
MAIL DATE 03/28/2008		DELIVERY MODE PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Advisory Action  
Before the Filing of an Appeal Brief**

**Application No.**

10/801,233

**Applicant(s)**

HSU ET AL.

**Examiner**

AKIBA K. ROBINSON BOYCE

**Art Unit**

3628

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 13 March 2008 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☐ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.  
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**NOTICE OF APPEAL**

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

**AMENDMENTS**

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ They raise the issue of new matter (see NOTE below);  
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
The status of the claim(s) is (or will be) as follows:  
Claim(s) allowed: \_\_\_\_\_.  
Claim(s) objected to: \_\_\_\_\_.  
Claim(s) rejected: 1,2,4-11,15 and 19-31.  
Claim(s) withdrawn from consideration: \_\_\_\_\_.

**AFFIDAVIT OR OTHER EVIDENCE**

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

**REQUEST FOR RECONSIDERATION/OTHER**

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Continuation Sheet.  
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). \_\_\_\_\_.  
13. ☐ Other: \_\_\_\_\_.

/Akiba K Robinson-Boyce/  
Primary Examiner, Art Unit 3628

Continuation of 11, does NOT place the application in condition for allowance because: As per claim 1, applicant argues that contrary to the Examiner's assertions, Examiner is neglecting to properly consider the limitations including those directed to a raw material product associated with the desired finished product, and Shavit does not disclose identifying a desired finished product and determining that the first raw material product is associated with the desired finished product and a quantity of the first raw material product associated with the desired finished product. Col. 13 line 51 - Col. 14 line 9 discloses identified required items, which represents the desired finished product since one could not possible have a finished product without the required items, and validating various data items and computing such values as weight and volume of the ordered items, where an outstanding bid can be converted into an order, either as is or with changes, where in this case, data items represent the first raw material product, and the weight and volume represent the quantity. Also, in Col. 15, lines 9-10, it is shown that a deferred bid for a product can result in processing the data as raw data (i.e. change it into an order, etc.), which in combination with the passage cited above, means that the validation of various data items involves validating raw data, and therefore indicates a raw material product associated with a finished product. Applicant also argues that Shavit fails to disclose calculating a demand planning system price associated with the desired finished product based on the quote amount associated with the first raw material product and the quantity of the first raw material product associated with the desired finished product as required by Claim 1. However, Col. 13 line 10 - Col. 14 line 9, in combination with Col. 25 lines 28 - 50 discloses this feature. Specifically, in Col. 13, line 10-Col. 14, line 9, it is true that Shavit discloses RFQ's or requests for quotes. However, Shavit also continues to teach that after prices and terms are recalculated upon modifying an RFQ, when a bid becomes available, the user is notified that the bid is now available (with the current price), and that the buyer may modify its request and retransmit the RFQ several times before making an order decision. In this case, the order decision for the desired finished product would be based on the RFQ, and the user would purchase the product based on the price (represents the demand planning system price) represented by the RFQ that presented the user with a favorable choice. The same type of information is disclosed by Shavit in Col. 25, lines 28-50. Also, since as described above, that raw data is disclosed by Shavit, Shavit therefore describes providing a price associated with a finished product based on the quote amount associated with the first raw material product and the quantity of the first raw material product associated with the desired finished product. As per claim 19, this claim recites limitations similar to that of claim 1, and is therefore still rejected for the same reasons. As per claim 23, this claim recites limitations similar to that of claim 1, and is therefore still rejected for the same reasons. As per dependent claims 2, 4-11, and 15, Claims 20-22, and Claims 24-31 these claims respectively depend from Claim 1, Claim 19, and Claim 23, and are also still unpatentable over the art of record, for example, for the same reasons as Claims 1, 19, and 23, respectively. As per claim 4, applicants find no mention of a product database including a plurality of raw materials associated with a finished product. However, in Col. 25 line 51 - Col. 26 line 4, Col. 40 lines 28-35 Shavit discloses an inventory database online which is used to confirm orders, propose substitutes, etc. In this case, the inventory database represents the product database. Also, since Col. 15, lines 9-10, shows that a deferred bid for a product can result in processing the data as raw data (i.e. change it into an order, etc.), which in combination with the passage cited above, means that the database involves validating raw data.

As per claim 5, none of the cited portions of Shavit disclose a mapping system, much less a mapping database. However, the following passages disclose the mapping system: Col. 24 line 53 - Col. 25 line 9, Col. 31 line 32 - Col. 32 line 9, Col. 36 lines 22-53, Col. 40 lines 28-35. Specifically, in Col. 24 line 53 - Col. 25 line 9, it is shown that the system links the user to selected application programs, where database retrieval programs are made available. In this case, "linking" represents mapping, and the databases that are retrieved through the linked programs represent mapping databases.